

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-62138-CIV-DIMITROULEAS

SYDNEY MARIE KEEFE,

Plaintiff,

vs.

BRITT's BOW WOW BOUTIQUE, INC.,
and MERRI COLVARD,

Defendants.

_____ /

**ORDER APPROVING REPORT OF MAGISTRATE JUDGE; OVERRULING
OBJECTIONS; GRANTING IN PART PLAINTIFF'S MOTION FOR COSTS;
GRANTING IN PART PLAINTIFF'S MOTION FOR ATTORNEYS' FEES**

THIS CAUSE is before the Court upon Plaintiff Sydney Marie Keefe ("Plaintiff")'s Motion for Bill of Costs [DE 130]; Plaintiff's Verified Motion for Attorney's Fees [DE 145]; the March 11, 2024 Report and Recommendation of Magistrate Judge Augustin-Birch, recommending that Plaintiff be awarded \$12,575.63 in costs and \$78,337.50 in attorney's fees. [DE 163]; and Defendants Britt's Bow Wow Boutique and Merri Colvard (collectively "Defendants")'s Objections to Report and Recommendation [DE 164].¹ The Court has carefully considered these filings, the entire docket, and is otherwise fully advised in the premises.

A party seeking to challenge the findings in a report and recommendation of a United States Magistrate Judge must file "written objections which shall specifically identify the portions of the proposed findings and recommendation to which objection is made and the specific basis for objection." *Macort v. Prem, Inc.*, 208 F. App'x 781, 783 (11th Cir. 2006)

¹ The Court notes that Plaintiff did not timely file any Objections to the Report and Recommendation.

(quoting *Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989)). “It is critical that the objection be sufficiently specific and not a general objection to the report.” *Macort*, 208 F. App’x at 784 (citing *Goney v. Clark*, 749 F.2d 5, 7 (3d Cir. 1984)). If a party makes a timely and specific objection to a finding in the report and recommendation, the district court must conduct a *de novo* review of the portions of the report to which objection is made. *Macort*, 208 F. App’x at 783-84; see also 28 U.S.C. § 636(b)(1). The district court may accept, reject, or modify in whole or in part, the findings or recommendations made by the Magistrate Judge. *Macort*, 208 F. App’x at 784; 28 U.S.C. § 636(b)(1).

Accordingly, the Court has undertaken a *de novo* review of the record and Defendants’ Objections to the Magistrate Judge’s Report and Recommendation [DE 164]. Having carefully considered the Defendants’ Objections, the Court overrules the Objections. The Court agrees with the Magistrate’s analysis and conclusion that Plaintiff is entitled to recover costs of the court filing fee, service of process fees, and copying costs in the total amount of \$12,575.63. *See* [DE 163]. The Court also agrees with the Magistrate’s analysis and conclusion that a reasonable hourly rate for Plaintiff’s counsel’s work in this case is \$375 per hour and that that 208.9 hours adequately compensates Plaintiff’s counsel for the hours reasonably spent for attorney work in this case. *See* [DE 163].

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Report [DE 163] is hereby **APPROVED**;
2. Defendants’ Objections to Report and Recommendation [DE 164] are hereby **OVERRULED**;
3. Motion for Bill of Costs [DE 130] is hereby **GRANTED IN PART AND**


DENIED IN PART;

4. Plaintiff's Verified Motion for Attorney's Fees [DE 145] is hereby **GRANTED**

IN PART AND DENIED IN PART;

5. Plaintiff is hereby awarded \$12,575.63 in costs and \$78,337.50 in attorney's fees.

DONE and ORDERED in Chambers in Fort Lauderdale, Broward County, Florida, on
this 26th day of March, 2024.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:

Counsel of record

Magistrate Judge Augustin-Birch